

Historic
preservation.

(2) If any such Federal lands or interests are not exchanged within five years after the date of enactment of this Act, the Secretary may sell any or all such lands or interests to the highest bidder, in accordance with such regulations as the Secretary may prescribe, but any such conveyance shall be at not less than the fair market value of the land or interest, as determined by the Secretary.

(3) All Federal lands and interests sold or exchanged pursuant to this subsection shall be subject to such terms and conditions as will assure the use of the property in a manner which, in the judgment of the Secretary, will protect the battlefield setting. Notwithstanding any other provision of law, the net proceeds from any such sale or exchange shall be used, subject to appropriations, to acquire lands and interests within the park.

Gifts
and
property

Historic
preservation.

(c) ALTERNATIVE ACCESS.—In order to facilitate the acquisition by the United States of existing easements or rights of access across Federal lands within the park and to provide the owners of such easements or rights of access with alternative rights of access across nonpark lands, the Secretary may acquire, by donation, purchase with donated or appropriated funds, or exchange, interests in land of similar estate across lands which are not within the park. With or without the acceptance of payment of cash to equalize the values of the properties, the Secretary may convey such nonpark lands or interests in lands to the holders of such existing easements or rights of access across Federal lands within the park in exchange for their conveyance to the United States of such easements or rights. Nothing in this Act shall prohibit the Secretary from acquiring any outstanding easements or rights of access across Federal lands by donation, purchase with donated or appropriated funds or by exchange.

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Real
property.

(4) CONSERVATION EASEMENTS.—The Secretary is authorized to accept donations of conservation easements on lands adjacent to the

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d in section 4) may be acquired without
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consent of the owner thereof unless the
Secretary determines that,
in his iudgment, the property is subject to,
or threatened with, uses
which are having, or would have, an
adverse impact on the park.

SEC. 1. RETAINED RIGHTS.

(a) RETENTION OF USE AND OCCUPANCY.—With
the exception of
property which the Secretary determines is
necessary for develop-
ment or public use, the owner or owners of
improved property
acquired pursuant to this Act may retain a
right of use and occu-
pancy of such improved property for
noncommercial residential
purposes for a definite term of not more
than twenty-five years, or
for a term ending at the death of the owner
or the owner's spouse.
The owner shall elect the term to be
reserved, except that if the
owner is a corporation, trust, partnership,
or any entity other than
an individual, the term shall not exceed
twenty-five years. Owner-
ship shall be determined as of June 1, 1989.
Unless the property is
wholly or partially donated, the Secretary
shall pay to the owner the